

109TH CONGRESS
1ST SESSION

S. 268

AN ACT

To provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Training for Realtime
5 Writers Act of 2005”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) As directed by Congress in section 713 of
 4 the Communications Act of 1934 (47 U.S.C. 613),
 5 as added by section 305 of the Telecommunications
 6 Act of 1996 (Public Law 104–104; 110 Stat. 126),
 7 the Federal Communications Commission adopted
 8 rules requiring closed captioning of most television
 9 programming, which gradually require new video
 10 programming to be fully captioned in English by
 11 2006 and Spanish by 2010.

12 (2) More than 28,000,000 Americans, or 8 per-
 13 cent of the population, are considered deaf or hard
 14 of hearing, and many require captioning services to
 15 participate in mainstream activities.

16 (3) More than 24,000 children are born in the
 17 United States each year with some form of hearing
 18 loss.

19 (4) According to the Department of Health and
 20 Human Services and a study done by the National
 21 Council on Aging—

22 (A) 25 percent of Americans over 65 years
 23 old are hearing impaired;

24 (B) 33 percent of Americans over 70 years
 25 old are hearing impaired; and

1 (C) 41 percent of Americans over 75 years
2 old are hearing impaired.

3 (5) The National Council on Aging study also
4 found that depression in older adults may be directly
5 related to hearing loss and disconnection with the
6 spoken word.

7 (6) Empirical research demonstrates that cap-
8 tions improve the performance of individuals learn-
9 ing to read English and, according to numerous
10 Federal agency statistics, could benefit—

11 (A) 3,700,000 remedial readers;

12 (B) 12,000,000 young children learning to
13 read;

14 (C) 27,000,000 illiterate adults; and

15 (D) 30,000,000 people for whom English
16 is a second language.

17 (7) Over the past decade, student enrollment in
18 programs that train realtime writers and closed
19 captioners has decreased by 50 percent, even though
20 job placement upon graduation is 100 percent.

21 **SEC. 3. AUTHORIZATION OF GRANT PROGRAM TO PRO-**
22 **MOTE TRAINING AND JOB PLACEMENT OF**
23 **REALTIME WRITERS.**

24 (a) IN GENERAL.—The Secretary of Commerce shall
25 make competitive grants to eligible entities under sub-

1 section (b) to promote training and placement of individ-
2 uals, including individuals who have completed a court re-
3 porting training program, as realtime writers in order to
4 meet the requirements for closed captioning of video pro-
5 gramming set forth in section 713 of the Communications
6 Act of 1934 (47 U.S.C. 613) and the rules prescribed
7 thereunder.

8 (b) ELIGIBLE ENTITIES.—For purposes of this Act,
9 an eligible entity is a court reporting program that—

10 (1) can document and demonstrate to the Sec-
11 retary of Commerce that it meets minimum stand-
12 ards of educational and financial accountability, with
13 a curriculum capable of training realtime writers
14 qualified to provide captioning services;

15 (2) is accredited by an accrediting agency rec-
16 ognized by the Department of Education; and

17 (3) is participating in student aid programs
18 under title IV of the Higher Education Act of 1965.

19 (c) PRIORITY IN GRANTS.—In determining whether
20 to make grants under this section, the Secretary of Com-
21 merce shall give a priority to eligible entities that, as de-
22 termined by the Secretary of Commerce—

23 (1) possess the most substantial capability to
24 increase their capacity to train realtime writers;

1 (2) demonstrate the most promising collabora-
 2 tion with local educational institutions, businesses,
 3 labor organizations, or other community groups hav-
 4 ing the potential to train or provide job placement
 5 assistance to realtime writers; or

6 (3) propose the most promising and innovative
 7 approaches for initiating or expanding training and
 8 job placement assistance efforts with respect to
 9 realtime writers.

10 (d) DURATION OF GRANT.—A grant under this sec-
 11 tion shall be for a period of two years.

12 (e) MAXIMUM AMOUNT OF GRANT.—The amount of
 13 a grant provided under subsection (a) to an entity eligible
 14 may not exceed \$1,500,000 for the two-year period of the
 15 grant under subsection (d).

16 **SEC. 4. APPLICATION.**

17 (a) IN GENERAL.—To receive a grant under section
 18 3, an eligible entity shall submit an application to the Sec-
 19 retary of Commerce at such time and in such manner as
 20 the Secretary may require. The application shall contain
 21 the information set forth under subsection (b).

22 (b) INFORMATION.—Information in the application of
 23 an eligible entity under subsection (a) for a grant under
 24 section 3 shall include the following:

1 (1) A description of the training and assistance
2 to be funded using the grant amount, including how
3 such training and assistance will increase the num-
4 ber of realtime writers.

5 (2) A description of performance measures to
6 be utilized to evaluate the progress of individuals re-
7 ceiving such training and assistance in matters relat-
8 ing to enrollment, completion of training, and job
9 placement and retention.

10 (3) A description of the manner in which the el-
11 igible entity will ensure that recipients of scholar-
12 ships, if any, funded by the grant will be employed
13 and retained as realtime writers.

14 (4) A description of the manner in which the el-
15 igible entity intends to continue providing the train-
16 ing and assistance to be funded by the grant after
17 the end of the grant period, including any partner-
18 ships or arrangements established for that purpose.

19 (5) A description of how the eligible entity will
20 work with local workforce investment boards to en-
21 sure that training and assistance to be funded with
22 the grant will further local workforce goals, includ-
23 ing the creation of educational opportunities for in-
24 dividuals who are from economically disadvantaged
25 backgrounds or are displaced workers.

1 (6) Additional information, if any, of the eligi-
 2 bility of the eligible entity for priority in the making
 3 of grants under section 3(c).

4 (7) Such other information as the Administra-
 5 tion may require.

6 **SEC. 5. USE OF FUNDS.**

7 (a) IN GENERAL.—An eligible entity receiving a
 8 grant under section 3 shall use the grant amount for pur-
 9 poses relating to the recruitment, training and assistance,
 10 and job placement of individuals, including individuals
 11 who have completed a court reporting training program,
 12 as realtime writers, including—

13 (1) recruitment;

14 (2) subject to subsection (b), the provision of
 15 scholarships;

16 (3) distance learning;

17 (4) further develop and implement both English
 18 and Spanish curriculum to more effectively train
 19 realtime writing skills, and education in the knowl-
 20 edge necessary for the delivery of high-quality closed
 21 captioning services;

22 (5) mentor students to ensure successful com-
 23 pletion of the realtime training and provide assist-
 24 ance in job placement;

1 (6) encourage individuals with disabilities to
2 pursue a career in realtime writing; and

3 (7) the employment and payment of personnel
4 for such purposes.

5 (b) SCHOLARSHIPS.—

6 (1) AMOUNT.—The amount of a scholarship
7 under subsection (a)(2) shall be based on the
8 amount of need of the recipient of the scholarship
9 for financial assistance, as determined in accordance
10 with part F of title IV of the Higher Education Act
11 of 1965 (20 U.S.C. 1087kk).

12 (2) AGREEMENT.—Each recipient of a scholar-
13 ship under subsection (a)(2) shall enter into an
14 agreement with the Secretary of Commerce to pro-
15 vide realtime writing services for a period of time (as
16 determined by the Secretary) that is appropriate (as
17 so determined) for the amount of the scholarship re-
18 ceived.

19 (3) COURSEWORK AND EMPLOYMENT.—The
20 Secretary shall establish requirements for
21 coursework and employment for recipients of schol-
22 arships under subsection (a)(2), including require-
23 ments for repayment of scholarship amounts in the
24 event of failure to meet such requirements for
25 coursework and employment or other material terms

1 under subsection (b)(2). Requirements for repay-
2 ment of scholarship amounts shall take into account
3 the effect of economic conditions on the capacity of
4 scholarship recipients to find work as realtime writ-
5 ers.

6 (c) ADMINISTRATIVE COSTS.—The recipient of a
7 grant under section 3 may not use more than 5 percent
8 of the grant amount to pay administrative costs associated
9 with activities funded by the grant. The Secretary shall
10 use no more than 5 percent of the amount available for
11 grants under this Act in any fiscal year for administrative
12 costs of the program.

13 (d) SUPPLEMENT NOT SUPPLANT.—Grant amounts
14 under this Act shall supplement and not supplant other
15 Federal or non-Federal funds of the grant recipient for
16 purposes of promoting the training and placement of indi-
17 viduals as realtime writers.

18 **SEC. 6. REPORTS.**

19 (a) ANNUAL REPORTS.—Each eligible entity receiv-
20 ing a grant under section 3 shall submit to the Secretary
21 of Commerce, at the end of each year of the grant period,
22 a report on the activities of such entity with respect to
23 the use of grant amounts during such year.

24 (b) REPORT INFORMATION.—

1 (1) IN GENERAL.—Each report of an entity for
2 a year under subsection (a) shall include a descrip-
3 tion of the use of grant amounts by the entity dur-
4 ing such year, including an assessment by the entity
5 of the effectiveness of activities carried out using
6 such funds in increasing the number of realtime
7 writers. The assessment shall utilize the performance
8 measures submitted by the entity in the application
9 for the grant under section 4(b).

10 (2) FINAL REPORT.—The final report of an en-
11 tity on a grant under subsection (a) shall include a
12 description of the best practices identified by the en-
13 tity as a result of the grant for increasing the num-
14 ber of individuals who are trained, employed, and re-
15 tained in employment as realtime writers.

16 (c) ANNUAL REVIEW.—The Inspector General of the
17 Department of Commerce shall conduct an annual review
18 of the management, efficiency, and effectiveness of the
19 grants made under this Act.

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to the Sec-
22 retary of Commerce to carry out this Act \$20,000,000 for
23 each of fiscal years 2006, 2007, 2008, and 2009.

1 **SEC. 8. SUNSET.**

2 This Act is repealed effective October 1, 2009.

Passed the Senate July 1, 2005.

Attest:

Secretary.

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